PATENT Attorney Docket No. **056291-5223** 

Dated: April 12, 2006

# APR 1 2 2006 W

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Anderson Joseph RYAN	)
Application No.: 10/561,183	) Group Art Unit: Unassigned
Filed: December 16, 2005	) Examiner: Unassigned
For: COMPOSITIONS COMPRISING ZD6126 TOGETHER WITH 5-FU, CPT-11 OR 5-FU AND CPT-11 HAVING VASCULAR DAMAGING ACTIVITY FOR TREATING E.G. COLORECTAL CANCER	) ) ) )

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

# INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

## Citation of Related U.S. Patent Applications

The Examiner's attention is directed to the following related co-pending U.S. patent applications:

Inventor	U.S. Serial No. Filing Date	U.S. Patent No. Issue Date	PCT Publication No. PCT Publication Date
Stephen Robert WEDGE	10/563,440		WO 2005/004871
	05-Jan-2006		January 20, 2005

A copy of the specification and claims for each application, in the form of the published PCT application from which such application was filed is being filed herewith.

<u>PLEASE DO NOT PRINT</u> the above information on the patent resulting from the subject application.

Consideration of each listed application is earnestly solicited since unpublished patent applications are contemplated as IDS material; see the exception in Rule 98(a)(2)(iii) and note the penultimate sentence of MPEP 609.

Further, in keeping with MPEP 609, Subsec. C(2), 2nd para., line 10 to end of the paragraph (especially note lines 18-25) PLEASE RETURN A COPY OF THIS LETTER with the Examiner's initials adjacent each above listing so that applicant will know that each listed application has been considered as required by PTO policy.

### **Citation of Documents**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants petition the Examiner to consider this Information Disclosure Statement and documents listed on the attached Form PTO-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced Application. Accordingly, Applicants do not believe a fee is due for filing this Information Disclosure Statement.

With the exception of U.S. Patents and published U.S. Applications, copies of the listed documents are attached. Applicants respectfully request that the Examiner initial and return the Form PTO-1449, indicating that the information has been considered and made of record herein.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that the listed documents constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or

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credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R.

By:

§1.136(a)(3).

Respectfully Submitted.

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Date: April 12, 2006 Morgan Lewis & Bockius LLP Customer No. 09629

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INFORMATION DISCLOSURE CITATION		Attorney Docket No. 056291-5223			Application No. 10/561,183				
(Use several sheets if necessary)			Applicants: Anderson Joseph RYAN						
PR 1 2 2006	PTO Form 1449			Filing Date: December 16, 2005			Group Art Unit: Unassigned		
	67		U.S. PA	TENT	DOCUMENTS				
TAIRMOON	-	Document No.	Date		Name	Class	Sub-Class	Filing Date	
	1.	6906048	June 14, 2005		Davis et al.	514	119	March 27, 2001	
	2.	6846925	January 25, 2005	;	Arnould	544	154	November 12, 2003	
	3.	6720323	April 13, 2004		Arnould	514	237.5	January 7, 2003	
	4.	6423753	July 23, 2002		Dougherty	514	719	January 5, 2000	
	5.	20050277627	December 15, 200	)5	Arnould et al.	514	217	January 6, 2003	
	6.	20050215530	September 29, 200	)5	Ryan	514	114	October 18, 2004	
· · · · · · · · · · · · · · · · · · ·	7.	20030166617	September 4, 2003		Davis et al.	514	114	April 4, 2003	
	8.	20030144298	July 31, 2003		Curwen et al.	514	252.17	October 1, 2002	
	9.	20030055024	March 20, 2003		Davis	514	114	September 26, 2002	
			FOREIGN	PATI	ENT DOCUMENTS				
		Document No.	Date		Country	Class	Sub-Class	Translation	
	10.	WO 99/02166	January 21, 1999		WIPO				
	11.	WO 00/40529	July 13, 2000		WIPO				
	12.	WO 00/48591	August 24, 2000		WIPO				
	13.	WO 01/74360	October 11, 2001	ı	WIPO				
	14.	WO 01/74368	October 11, 2001	i	WIPO				
	15.	WO 01/74369	October 11, 2001	l	WIPO				
	16.	WO 02/04434	January 17, 2002	2	WIPO				
	17.	WO 02/08213	January 31, 2002	2	WIPO	L			
	18.	WO 03/088971	October 30, 2003	3	WIPO				
	19.	WO 04/032939	April 22, 2004		WIPO		ļ		
	20.	WO 2005/004871	January 20, 2005	5	WIPO				
	21.	WO 2005/061436	July 7, 2005		WIPO				
	22.	WO 2005/110426	November 24, 200	05	WIPO	<u> </u>	<u> </u>		
		OTHER DO	OCUMENTS (Includ	ding A	Author, Title, Date, Per	tinent Pa	ges, etc.)		
	23.	Bleiberg H (1998) "Continuing the fight against advanced colorectal cancer: new and future treatment options" Anticancer Drugs 9(1):18-28							
	24.	Siemann DW et al. (20 57(1):5-12	000) "Targeting tumo	r bloo	d vessels: an adjuvant s	trategy for	radiation the	erapy" Radiother Onco	

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Date Considered